



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/284,113	04/07/1999	MICHAEL DE ANGELO	3726-US	1910

7590 02/11/2003

GREG T SUEOKA
FENWICK & WEST
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

EXAMINER

NGUYEN, CAM LINH T

ART UNIT PAPER NUMBER

2171

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/284,113

Applicant(s)

DE ANGELO, MICHAEL

Examiner

Cam-Linh T. Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 & 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 - 36 are rejected under 35 U.S.C. 102(e) as being anticipated by McKeehan et al (U.S. 6,016,495).

♦ As per claim 20,

McKeehan et al. discloses a method for creating an interactive information container comprising:

- "Forming a container" See Fig. 8, element 870, Fig. 10, col. 18 line 33 – 47.
- "Selecting an interactive register for the container" See Fig. 2B, col. 11 line 17 – 27, col. 20 line 59 – 67, Fig. 17A col. 24 line 65 – col. 25 line 9.
- "Identifying an item for inclusion in a container" corresponds to a particular resource or object that need to register and stored in the storage.

Art Unit: 2171

- "Creating a container element that includes the identified item" See Fig. 2B col. 11 line 17 – 27. when an item is registered and stored in the persistent storage, it is considered as an identified item, and the storage that includes the identified item is called "container" as in Fig. 10.

♦ As per claim 1,29,

With all limitations as in claim 20 further claim 1 includes:

- "Plurality of containers" See Fig. 1, 2A, 8, col. 15 line 47 – col. 16 line 40, col. 17 line 24 – 37.
- "Plurality of registers" See Fig. 2A.
- "A first register storing a unique container identification value" See fig. 11, col. 19 line 3 – 8, 59 - 61.
- "The second register stores information and evolves according to the relationship, use and interaction of the container with other containers" See Fig. 11; col. 19 line 15 – 62.
- "A gateway attached to and forming part of the container... controlling the interaction of the container with other containers" corresponds to the Transaction Manager (See col. 20 line 63 – 67).

♦ As per claim 2,

- "The information element is one from the group of text, graphic...a system" corresponds to the text of the objects that registered in the container (See Fig. 2A).

♦ As per claim 3 - 4,

Art Unit: 2171

- "One container history register for storing information regarding past interaction of the container with other container... modified" See col. 20 line 6 – 13, col. 23 line 21 – 42.

◆ As per claim 5 - 7,

- "Plurality of registers include at least one predefined register" corresponds to the methods that are defined by the system (See col. 23 line 21 – 42).
- "Plurality of registers include a user created register" corresponds to the extensible methods that defined by user (See col. 23 line 21 – 42).

◆ As per claim 8 – 9, 31 – 32,

- "Plurality of registers ... controlling the relationship of the container with other containers" corresponds to the Lock register because the lock class controls about the concurrent of objects stored in the container (See col. 19 line 24 – 39).
- Because the system support locking manager, it must include an "active time, passive time, neutral time", which shows the interactive of an object with other objects.

◆ As per claim 10, 33,

- "Plurality of registers include at least one acquire register" See col. 21 line 17 – 21, col. 19 line 55 – 61.

◆ As per claim 11 – 14,

- Because the system 800 is virtual addressing mechanisms that allow the programs to access to other storage, therefore, the system must have register that referring the space or location of a container.

◆ As per claim 15 - 19, 35 – 36,

Because the Transaction Manager carries out the transaction control by interacting with objects of the extensible Resource class that are registered to it (Col. 20 line 67 – col. 21 line 13), therefore, it must including the means of “allowing interaction, gather information, reporting information, and including the rules defining the interaction of the container”.

◆ As per claim 21 - 22, 30,

- “Displaying a plurality of container levels” See Fig. 12, col. 22 line 1 – 22.
- “Receiving input from user selecting one of the displayed container level” corresponds to the query of user to retrieve a particular object in a container.
- “Displaying a container template corresponding to the container level input” corresponds to the result of the query.

◆ As per claim 23,

Because each container store different data structure, the system must providing a data structure as part of the container element (See col. 1 line 36 – 40, col. 2 line 28 – 38).

◆ As per claim 24 - 26,

- In order for a container work properly, the container must have a gateway to control the interaction of the container with other containers. In the instance reference, the gateway is corresponding to the Transaction Manager (See col. 20 line 63 – 67), because the transaction manager comprises a list of transaction ID that controls all transactions between containers (col. 24 line 62 – 64). In

addition, the container also has to determine the current gateway or register when a new container is created.

♦ As per claim 27 – 28, 34,

As noted above, the system creates some methods in order to create a new container; it must include the determination of available register to store items into the container (See col. 23 line 5 – 42).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Itakura et al (U.S. 6,351,745) discloses a communication system for distributing such message as advertisement to user of terminal equipment.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Linh T. Nguyen whose telephone number is 703-305- 1951. The examiner can normally be reached on Monday - Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308- 1436. The fax phone number for the organization where this application or proceeding is assigned is 703- 746- 7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703- 305- 3900.

Application/Control Number: 09/284,113

Page 7

Art Unit: 2171

Cam-Linh Nguyen

Art Unit 2171

LN



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100